

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER JOSEPH LADUE,

Defendant.

CR-13-18-GF-BMM-01

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATIONS TO REVOKE
DEFENDANT'S SUPERVISED RELEASE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 2, 2015. (Doc. 50). Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 1, 2015. (Doc. 49.) Ladue admitted two of three alleged violations of his supervised release. Ladue admitted being in a house with a child under the age of 18 without permission and admitted being terminated from his sex offender treatment

program. He denied that he knowingly associated with a person convicted of a felony. (Doc. 50).

Judge Johnston recommends this Court revoke Ladue's supervised release and that the Court sentence Ladue to four (4) months imprisonment followed by fifty-four (54) months of supervised release. *Id.*

Ladue's criminal history category is I, the current offense is a Grade C violation, and the underlying offense is a Class C felony. The statutory range is a maximum of 24 months. The applicable guideline imprisonment range is 3 to 9 months. The statutory and guideline term of supervised release is 60 months to life.

This Court finds no clear error in Judge Johnston's Findings and Recommendations. There are no mitigating circumstances justifying a variance from the guideline. A sentence of four (4) months imprisonment with a term of fifty-four (54) months of supervised release to follow is sufficient, but not greater than necessary.

IT IS HEREBY ORDERED that Judge Johnston's Findings and Recommendations (Doc. 42) is ADOPTED IN FULL. **IT IS FURTHER ORDERED** that Defendant Christopher Ladue shall be sentenced to **four (4) months imprisonment** followed by **fifty-four (54) months of supervised release**.

DATED this 17th day of September, 2015.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable. It is positioned above a horizontal line.

Brian Morris
United States District Court Judge